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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

GLENN DEWEESE and JOSHUA  
HOLTOM, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

vs.

ITS NATIONAL, LLC; and DOES 1  
through 50, inclusive,

Defendants.

Case No.: 3:18-cv-00375-MMD-WGC

**ORDER GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

The Application for Preliminary Approval of a Class Action Settlement came before this Court, the Honorable Miranda M. Du presiding, on March 19, 2019. This Court, having considered the papers submitted in support of the application of the parties, HEREBY ORDERS THE FOLLOWING:

1. This Court grants preliminary approval of the Settlement and the Settlement Classes based upon the terms set forth in the Joint Stipulation of Settlement and

- 1 Release between Plaintiffs and Defendants (“Stipulation of Settlement”) filed  
2 herewith. The Settlement appears to be fair, adequate and reasonable to the Class.
- 3 2. The Settlement falls within the range of reasonableness and appears to be  
4 presumptively valid, subject only to any objections that may be raised at the final  
5 fairness hearing and final approval by this Court.
- 6 3. A final fairness hearing on the question of whether the proposed Settlement,  
7 attorneys’ fees to Class Counsel, and the Class Representatives Enhancement  
8 Awards should be finally approved as fair, reasonable and adequate as to the  
9 members of the Class is scheduled in accordance with the Implementation  
10 Schedule set forth below.
- 11 4. This Court approves, as to form and content, the Notice of Pendency of Class  
12 Action, Proposed Class Action Settlement, and Hearing Date for Court Approval  
13 (“Notice of Pendency of Class Action”), in substantially the form attached to the  
14 Stipulation of Settlement as Exhibit A, and the Claim and Exclusion Form in  
15 substantially the form attached thereto as Exhibits B and C, respectively. This  
16 Court approves the procedure for Class Members to participate in, to opt out of  
17 and to object to, the Settlement as set forth in the Notice of Pendency of Class  
18 Action.
- 19 5. This Court directs the mailing of the Notice of Pendency of Class Action and  
20 Proposed Settlement, and the Claim and Exclusion Forms by first class mail to the  
21 Class Members in accordance with the Implementation Schedule set forth below.  
22 This Court finds the dates selected for the mailing and distribution of the Notice  
23 and the Claim Form, as set forth in the Implementation Schedule, meet the  
24 requirements of due process and provide the best notice practicable under the  
25 circumstances and shall constitute due and sufficient notice to all persons entitled  
26 thereto.
- 27 6. It is ordered that the Settlement Class is preliminarily certified for settlement  
28

purposes only.

7. This Court confirms Plaintiffs Glenn Deweese and Joshua Holtom as Class Representatives and Thierman Buck, LLP as Class Counsel.

8. This Court confirms CPT Group, Inc., as the Claims Administrator.

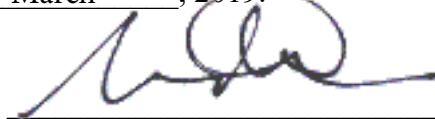
9. To facilitate administration of the Settlement pending final approval, this Court hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Nevada Office of the Labor Commissioner) regarding claims released by the Settlement unless and until such Class Members have filed valid Requests for Exclusion with the Claims Administrator and the time for filing claims with the Claims Administrator has elapsed.

10. This Court orders the following **Implementation Schedule** for further proceedings:

Deadline for Defendant to Submit Class Member Information to Settlement Administrator	April 3, 2019 [10 business days after Order granting Preliminary Approval]
Deadline for Settlement Administrator to Mail the Notice and the Claim Form to Class Members	April 4, 2019 [14 calendar days after Order granting Preliminary Approval]
Deadline for Class Members to Postmark Claims Form	May 6, 2019 [30 calendar days after mailing of the Notice of Settlement]
Deadline for Class Members to Postmark Requests for Exclusions	May 6, 2019 [30 calendar days after mailing of the Notice of Settlement]
Deadline for Receipt by Court and Counsel of any Objection to Settlement	May 6, 2019 [30 calendar days after Order granting Preliminary Approval]
Deadline for Parties to file Motion for Final Approval of Settlement, Attorneys' Fees, Costs, and Enhancement Award	June 13, 2019 [7 business days before Final Approval Hearing]

Deadline for Class Counsel to File Declaration from Claims Administrator of Due Diligence and Proof of Mailing	<u>June 13</u> , 2019 [7 business days before Final Approval Hearing]
Final Fairness Hearing in Reno Courtroom 5 and Final Approval	<u>June 24</u> , 2019 at 9:00 AM
Deadline for Defendant to Fund Settlement Account maintained by the Settlement Administrator	<u>July 1</u> , 2019 [5 business days after Effective Date]
Deadline for Settlement Administrator to wire transfer the Attorneys' Fees and Costs to Class Counsel (if Settlement is Effective)	<u>July 8</u> , 2019 [5 calendar days after Defendant Funds Settlement Amount]
Deadline for Settlement Administrator to mail the Settlement Awards to Class Members and the Enhancement Award to Class Representative (if Settlement is Effective)	<u>July 8</u> , 2019 [5calendar days after Defendant Funds Settlement Amount]
Settlement Administrator to File Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	<u>September 25</u> , 2019 [90 calendar days after Effective Date]

DATED this 20th day of March, 2019.



District Court Judge